

REMARKS

Claims 4, 6, 9 and 11 have been cancelled. Claims 1-3, 5, 8, 10, 12-14, 16-18, 21 and 23 have been amended. Claims 1-3, 5, 7-8, 10 and 12-25 remain for further consideration. No new matter has been added.

The Official Action incorrectly states that there are only 24 claims pending in the application. There are actually 25 claims in the application.

The objection and rejections shall be taken up in the order presented in the Official Action.

1. The drawings currently stand objected to since the sole figure in the application is currently labeled "FIGURE". The Official Action suggests the figure be labeled "FIGURE 1".

The labeling of a single figure as FIGURE is standard practice before the USPTO. If there has recently been a change in the rules for the USPTO, kindly point out the change to the undersigned attorney and the necessary amendment shall be made.

2. The specification currently stands rejected for several informalities. Specifically, it is suggested that the transitional phrase "*What is claimed is*" be moved to the top of page 18.

Every application the undersigned has ever worked on has had the phrase in its current location. Again, if there has been a change in the rules of the USPTO, kindly point out the change to the undersigned attorney and the necessary amendment shall be made.

3. Claim 1 currently stands objected to on the grounds that the terms "control data" and "the functional scope" lacks antecedent basis.

Claim 1 has been amended.

4. Claim 12 currently stands objected to on the grounds that the terms "the scope" lacks antecedent basis. Claims 13-17 stand objected to since they depend from claim 12.

Claim 12 has been amended.

5. Claim 18 currently stands objected to on the grounds that the terms "the scope" lacks antecedent basis. Claims 19-23 stand objected to since they depend from claim 18.

Claim 18 has been amended.

6. Claim 8 currently stands objected to on the grounds that it is an improper multiple dependent claim.

Claim 8 has been amended.

7-11. Claim 11 currently stands rejected under 35 U.S.C. §112, second paragraph for allegedly failing to particularly point out and distinctly claim the subject matter deemed to be the present invention.

Claim 11 has been cancelled.

12-13. The indication that claims 1-24 would be allowable if amended to overcome the objections and the rejections is noted and appreciated.

It is respectfully submitted that these claims are now in condition for allowance.

For all the foregoing reasons, reconsideration and allowance of claims 1-3, 5, 7-8, 10 and 12-25 is respectfully requested.

If a telephone interview could assist in the prosecution of this application, please call the undersigned attorney.

Respectfully submitted,



Patrick J. O'Shea

Registration No. 35,305

Samuels, Gauthier & Stevens LLP

225 Franklin Street, Suite 3300

Boston, Massachusetts 02110

Telephone: (617) 426-9180 x121